



PATENT  
Customer No. 24,118



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. KAN820/02720C

Anticipated Classification of this application:

Class:      Subclass:     

Prior Application:

Examiner: WILLIAM TAPOLCAI

Art Unit: 3744

Mail Stop Patent Application (Divisional)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DIVISIONAL PATENT APPLICATION**  
**FILING UNDER 37 CFR §1.53(b) and §1.78(a)**

This is a request for filing a divisional application under 37 CFR §1.53(b) and §1.78(a), of pending prior application Serial No. 10/261,846, filed on September 30, 2002 by James P. Cunha, Dennis J. Cohlma, James A. Steinbacher and Joel D. Hockenbury for **SEMI-FROZEN BEVERAGE DISPENSING APPARATUS**.

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application including the oath or declaration originally filed (37 CFR §1.78(a)).

The copy of the papers of prior application as filed which are attached are as follows:

13 pages of specification

5 pages of claims

1 page of abstract

4 sheet(s) of drawings

Declaration and Power of Attorney

"EXPRESS MAIL" Mailing Label No. EV335382/3545, Date of Deposit: July 9, 2003, I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231 by

James Hanum  
1

Cancel in this application original Claims 1 through 4 and 13 through 16 of the prior application before calculating the filing fee. Original Claims 5 through 12 remain.

The fee calculation is as follows:

Number Filed	Number Extra	Rate	Basic Fee \$375.00
Total Claims	<u>8</u> - 20 = 0 x	\$ 09.00	\$
Independent Claims (37 CFR 1.16(b))	<u>4</u> - 3 = 0 x	\$ 42.00	\$42.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))	x	\$125.00	

Filing Fee Calculation    \$417.00

Applicant claims small entity status. (37 CFR 1.28(a)).

Amend the specification by inserting before the first line the sentence:

--     This is a divisional application of copending Serial No. 10/261,846 filed on  
September 30, 2002. --.

With respect to the prior copending U.S. application from which this application claims benefit under 35 USC §120 the inventor(s) in this application is the same.

The inventorship for all the claims in this application are the same.

The prior application is assigned of record to Kan-Pak, L.L.C.

Enclosed is a check in the amount of \$417 which covers the basic filing fee.

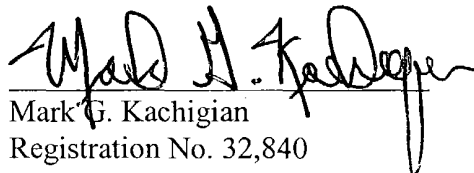
The Commissioner is hereby authorized to charge any fees which may be required by this paper and during the entire pendency of the application to Account No. 08-1500.

The power of attorney is to the attorney(s) and/or agent(s) presently listed in our Customer No. 24,118 all members duly authorized to practice law. Further, all foregoing attorneys are authorized to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent Document, if issued. The power appears in the original papers in the prior application.

Address all future communications to:

Mark G. Kachigian  
Head, Johnson & Kachigian  
228 West 17<sup>th</sup> Place  
Tulsa, Oklahoma 74119  
(918) 587-2000

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Mark G. Kachigian  
Registration No. 32,840  
HEAD, JOHNSON & KACHIGIAN  
228 West 17th Place  
Tulsa, Oklahoma 74119  
(918) 587-2000  
Attorneys for Applicant

July 9, 2003

**NAME OF ASSIGNEE:**

Kan-Pak, L.L.C.  
1016 South Summit  
Arkansas City, Kansas 67005

Assignment recorded in Patent and Trademark Office on September 30, 2002

Reel: 013359 Frame: 0394